

Customer No.: 31561
Application No.: 10/604,510
Docket NO.: 9843-US-PA

REMARKS

Present Status of the Application

This is a full and timely response to the outstanding nonfinal Office Action mailed January 22 2007. The Office Action has rejected claims 1 and 6 under 35 U.S.C. Section 102 (b) as being anticipated by Mimachi et al. (US 6,392,569; hereinafter "Mimachi"). Further, the Office Action has objected to claims 2-5 as being dependent upon a rejected base claim.

After carefully considering the remarks set forth in this Office Action and the cited reference, Applicant has integrated the allowable subject matter of claim 2 into claim 1, amended claims 3-5, and canceled claim 2 to more clearly define the present invention. After entry of the foregoing amendments, the presently pending claims are in condition for allowance. Reconsideration and withdrawal of the Examiner's rejection are respectfully requested.

Discussion of the 35 U.S.C § 102 Rejections

The Office Action has rejected claims 1 and 6 under 35 U.S.C. Section 102 (b) as being anticipated by Mimachi et al. (US 6,392,569).

In response thereto, Applicant has directly integrated the allowable subject matter of claim 2 into claim 1 and made claims 3-5 to depend upon the currently amended claim 2, which render the rejections set forth above moot.

Since claims 3-6 are dependent claims which further define the invention recited in claim 1, as a matter of law these dependent claims are also in condition for allowance. *In re Fine*, 837, F.2d 1071 (Fed. Cir. 1988).

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CONCLUSION

For at least the foregoing reasons, it is believed that the presently pending claims 1, and 3-6 are in proper condition for allowance. If the Examiner believes that a telephone conference would expedite the examination of the above-identified patent application, the Examiner is invited to call the undersigned.

Respectfully submitted,

Date :

April 20, 2007

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